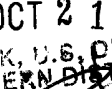


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

**FILED**  
OCT 21 2009  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY  DEPUTY CLERK

IN RE:	§	
	§	
TXCO RESOURCES INC.,	§	CHAPTER 11 CASE
	§	
Debtor.	§	Case No. 09-51807-RBK
	§	
<hr/>		
WEATHERFORD INTERNATIONAL,	§	
INC.,	§	
	§	
Appellant,	§	
	§	
VS.	§	CIVIL ACTION NO. SA-09-CA-569-FB
	§	
TXCO RESOURCES, INC., ET AL.,	§	
	§	
Appellees.	§	
<hr/>		
OFFICIAL COMMITTEE OF UNSECURED	§	
CREDITORS OF TXCO RESOURCES,	§	
INC., ET AL.,	§	
	§	
Appellant,	§	
	§	
VS.	§	CIVIL ACTION NO. SA-09-CA-580-FB
	§	
TXCO RESOURCES, INC., ET AL.,	§	
	§	
Appellees.	§	

**ORDER DENYING APPELLANT'S MOTIONS TO EXPEDITE APPEAL**

Before the Court are Appellant's Motion to Expedite Appeal filed September 24, 2009 (docket #8), the Response to Appellant's Motion to Expedite Appeal filed October 8, 2009 (docket #11), Appellant's Motion to Expedite Appeal filed in cause number SA-09-CA-580-FB on October 6, 2009 (docket #13), and the request for oral argument.

Concerning oral argument, the Court has before it thousands of pages of legal documents in the four TXCO Resources Inc. bankruptcy appeals. (SA-09-CA-569-FB; SA-09-CA-580-FB;

SA-09-CA-638-FB, and SA-09-CA-654-FB) The Court is at a loss to know what more could be said orally, though such in person appearances would further increase the costs to the clients. The request for oral argument is DENIED.

With reference to an expedited appeal, the Court appreciates that particularly out of district counsel may not be aware of the circumstances with which this Court deals:

First, the departure of Senior Judge Furgeson leaves this division with three federal judges for 2.5 million people and little hope the vacancy will be filled soon.

Second, by law the Court is required to give precedence to the 200 felony defendants on my docket at any given time.

Third, there are about 230 civil cases on my docket filed before these appeals. Those folks think their cases are important also.

Fourth, this Court takes professional pride in not having matters pending on the "over six month" list. The deadline for meeting that goal for these cases is March 31, 2010. These matters will be dealt with in due time on or before that date.

The motions to expedite (docket #8 in SA-09-CA-569-FB and docket #13 in SA-09-CA-580-FB) the appeal are DENIED.

In the meantime, the parties and counsel might want to heed the words of Isaiah, lawyer Lincoln (see attachment), and come reason together as reasonable business people and counselors at law to fashion a business plan beneficial to creditors and debtors alike.

It is so ORDERED.

Signed this 21<sup>st</sup> day of October, 2009.

  
FRED BIERY  
UNITED STATES DISTRICT JUDGE



**Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser—in fees, expenses, and waste of time. As a peacemaker the lawyer has a superior opportunity of being a good man. There will still be business enough.**

**Abraham Lincoln**